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इह भाग में प्रियलक्षण तथा दी जाती है खण्ड को यह अलग तंकदार द्वे रूप में
रखा जा रहा

**Separate Paging is given to this Page in order that it may be filed as a
separate compilation.**

वाणिज्य मंत्रालय

अधिसूचना।

नई दिल्ली, 30 जून, 1992

सं. 22(एन-3)/92—97

फा. सं. अर्ही सी/4/5/(269)/92—97—आयात और निर्यात नीति 1992—97 के पैराग्राफ 1 और 3 के अन्तर्गत प्रदत्त प्रधिकारों का प्रयोग करते हुए केंद्रीय सरकार एवं द्वारा नियंत्रित और आयात नीति 1992—97 में निम्नलिखित संशोधन करती है :

1. आयात 1 पैराग्राफ 3 में दूसरा बाक्य हटा दिया जाएगा और प्रथम बाक्य के बाद निम्नलिखित जोड़ा जाएगा :

“सरकारी राजपत्र में प्रकाशित एक अधिसूचना के माध्यम से संशोधन किया जाएगा। उसके बाद, मुख्य नियंत्रक आयात-नियंत्रित द्वारा जारी की गई संबंधित सूचना के माध्यम से एक अधिसूचना प्रकाशित की जाए।

2. आयात 3 में

(1) पैराग्राफ 7 खण्ड (6) में निम्नलिखित को खण्ड के भ्रत में जोड़ा जाएगा :

“पूजीय साल में रिपोर्टरीज रेकियरेशन सबस्कर और पावर जनरेटिंग सेंटर शामिल होंगे।

(2) पैराग्राफ 7 खण्ड (ii) में निम्नलिखित को खण्ड के भ्रत में जोड़ा जाएगा :

“ओर सहायक सचिवर, संचार भाव और अतिथियत पुर्ज, देसे उप-मोक्षा इयूरेक्स्प्रेस के।

(3) पैराग्राफ 7 खण्ड (25) में निम्नलिखित को खण्ड के भ्रत में जोड़ा जाएगा :

“ओर इसमें से रेफिजरेशन, रिपोर्टिंग, पालिंग, सेबालिंग और विशेष जैसी प्रक्रियाएं शामिल होंगी। इस नीति के प्रयोगों के लिए विनिर्माण में कृषि, एक्साक्सेप्टर, पशुपालन, पुष्पो-पालन, बागवानी, मत्स्यपालन, कुकुटपालन और रेपम उत्पादन भी शामिल होंगे।

3. आयात 4 में पैराग्राफ 21

(1) हाशिए में दिया गया यीर्जे निम्नलिखित द्वारा प्रतिस्थापित किया जाएगा :

"इस प्रधाय के प्रयोगत के लिए, भारतीय नियन्त्रित संगठनों की फैड-रेण्ट (एफआई हॉट) को नियन्त्रित संवर्धन परियद के रूप में माना जाएगा।"

32. प्रधाय 15 में

(1) भाग 2 पैराग्राफ 156 अनुभाग च में कम संख्या 4 पर प्रविष्टि निम्नलिखित द्वारा प्रतिस्थापित की जाएगी :

"4.0.8 मि. मि. और इससे प्रधिक की ओटाई —वर्ही-के बिगल साईडिंग प्रिस्टिड सर्केट बोर्डेस

(2) भाग 2 पैराग्राफ 156 अनुभाग अ में प्रविष्टि कम संख्या 15 में कालम (2) में "भारतीय राष्ट्रीय किस्म अधिनेत्रितगार" पश्चों के स्थान पर "राष्ट्रीय किस्म विकास निगम" जोड़ा जाएगा।

(3) भाग 3 पैराग्राफ 157 में प्रविष्टि कम संख्या 1 शब्द (छ) में, शब्द "अौर" को हटा दिया जाएगा और निम्नलिखित को छाँड (1) के रूप में जोड़ा जाएगा :

"(1) हाई स्पीड डीजल"

(4) भाग 3 पैराग्राफ 157, कम संख्या 7 पर प्रविष्टि को निम्नलिखित प्रविष्टि द्वारा प्रतिस्थापित किया जाएगा।

"7 डर्टी एसिड और एसिड सैल, अचानक पाम करनेल तेल पाम स्टीराइन, टैलो एमाइनूस, हाइड्रोजेनेटिड टैलो एमाइन, उनके प्राइमरी सैकेन्डरी, डैरिडियरी और ल्याकरलरी बिराइवेंटिकम सहित।"

33. प्रधाय 16 में

(1) भाग 2 पैराग्राफ 159 कम संख्या 21 में मद (7) के सामने की प्रविष्टि को निम्नलिखित द्वारा प्रतिस्थापित किया जाएगा : "लाइनिंग लैवर्स अथवा :

(1) गाय और भैंस की चमड़ी और बछड़े के चमड़े से लाइनिंग स्लेद

(2) बकरी, भेमने, भेड़िए और भेड़ की चमड़ी से लाइनिंग स्लेद"

(2) भाग 2 पैराग्राफ 162 में कम संख्या 17 पर प्रविष्टि में "सप्लिट्स" शब्द को हटा दिया जाएगा।

(3) भाग 5 पैराग्राफ 162 में कम संख्या 33 की प्रविष्टि में छाँड (4) के बावजूद निम्नलिखित छाँड जोड़े जाएंगे.

"(5) डाइमियार्डल फासफाइट

(6) बाइ प्राइसोप्रोपिल एमाइन"

इसे सार्वजनिक हित में जारी किया जाता है।

श्री. प्रार. मेहता, मुख्य नियंत्रक आयात निर्यात।

MINISTRY OF COMMERCE NOTIFICATION

New Delhi, the 30th June, 1992

NO. 22(N-3)|92-97

F. No. IPC|4|5(269)|92-97.—In exercise of the powers conferred under paragraphs 1 and 3 of the Export and Import Policy 1992-97, the Central Government hereby makes the following amendments in the Export and Import Policy 1992-97:

1. Chapter I paragraph 3, the second sentence shall be deleted and, after the first sentence, the following shall be added:

"An amendment shall be made by means of a Notification published in the Official Gazette. Thereafter, the amendment may be published by means of a Public Notice issued by the Chief Controller of Imports and Exports."

2. In Chapter III

(i) in paragraph 7 clause (6), the following shall be added at the end of the clause :

"Capital goods shall also include refractories, refrigeration equipment and power generating sets."

(ii) in paragraph 7 clause (11), the following shall be added at the end of the clause:

"and accessories, components, parts and spares of such consumer durables."

(iii) in paragraph 7 clause (25), the following shall be added at the end of the clause;

"and shall include processes such as refrigeration, repacking, polishing, labelling and segregation. Manufacture, for the purposes of this Policy, shall also include agriculture, aquaculture, animal husbandry, floriculture, horticulture, pisciculture, poultry and sericulture."

3. In Chapter IV paragraph 21,

(i) the marginal heading shall be substituted by the following:

"Exemption from Policy/Procedure."

(ii) the following shall be added at the end of the paragraph:

"The Chief Controller of Imports and Exports may, in public interest, exempt any person or class or category of persons from any provision of this Policy or any procedure and may, while granting such exemption, impose such conditions as he may deem fit."

4. In Chapter V paragraph 24, the following shall be inserted at the beginning of the paragraph:

"Notwithstanding anything contained in paragraphs 22 and 23,"

5. In Chapter V paragraph 25, clauses (b) and (d) shall be substituted by the following clauses:

(b) Garments/Hosiery/Made-ups (of all fibres)
(d) Leather, Rubber and Canvas footwear"

6. In Chapter V, paragraph 30 shall be substituted by the following paragraph :

"30. The following capital goods, including second-hand capital goods, may be imported on re-export basis without a licence on execution of bond/bank guarantee to the satisfaction of the Customs authorities:

(a) Capital goods for repairs or reconditioning;

(b) Jigs, fixtures, dies including contour roller dies), moulds (including moulds for die casting), patterns, press tools and lasts; and

(c) Construction machinery and other equipment."

7. In Chapter V paragraph 32, the following shall be added as a sub-paragraph :

"Indigenous capital goods or parts or components thereof may be sent abroad for testing, quality improvement or upgradation of technology after obtaining a licence from the Chief Controller of Imports and Exports for such export on re-import basis."

8. In Chapter VI paragraph 40, the following shall be added at the end of the paragraph:

"Import of capital goods under the scheme shall be subject to the Actual User condition."

In chapter V, paragraph 41, the words "For this purpose" shall be substituted by the following :

"Physical exports of goods in fulfilment of export obligation against licences issued under Duty Exemption Scheme (except Special Import Licences) shall be taken into account. However"

10. In Chapter VI paragraph 42,

(i) the marginal heading shall be substituted by the following heading :

"Leasing of Capital Goods"

(ii) the paragraph shall be substituted by the following paragraph:

"42. An EPCG licence may, on the basis of a firm contract between the parties, source the capital goods from a domestic leasing company. In such a case, the name of the domestic leasing company will be endorsed on the EPCG licence to enable it to import the capital goods at the concessional rate of duty and supply the same to the EPCG licence holder on such terms and conditions as may be mutually agreed upon between the two parties. The export obligation, however, shall remain on the EPCCG licence holder. In case the EPCCG licence holder commits a breach of contract and, as a result, the leasing company repossesses the capital goods, the indemnity-cum-guarantee bond shall be enforced againsts the EPCCG licence holder by the licensing authority."

11. In Chapter VI, paragraph 45 shall be substituted by the following paragraph :

"45. A manufacturer-exporter shall be required to execute with the licensing authority an indemnity-cum-guarantee bond, supported by a bank guarantee, in the specified form for the value and period as mentioned in the licence. However, after the manufacturer-exporter has fulfilled 50% of the export obligation, the licensing authority may discharge the bank guarantee and require the manufacturer-exporter to execute a legal undertaking (LUT) for fulfilment of the remainder of the export obligation. The licensing authority may exempt an Export House/Trading House/Star Trading House from the requirement of furnishing an indemnity-cum-guarantee bond supported by a bank guarantee and may allow it to execute instead a legal undertaking (LUT).

12. In Chapter VI, paragraph 46 shall be substituted by the following :

"46. A person may apply for a licence under the EPCG Scheme to import the capital goods in SKD/CKD condition or components of such capital goods and may assemble or manufacture, as the case may be, the capital goods. A person already holding a licence under the EPCG Scheme may apply for an amendment to the licence to import capital goods or components as permitted in this paragraph. In either case, the export obligation under paragraph 38 shall be fixed with reference to the CIF value of such imports and all other provisions of this Chapter shall apply to such imports."

13. In Chapter VII paragraphs 47 and 48, the words "spares including mandatory spares and packing materials" shall be substituted by the words "spares including mandatory spares, packing materials and computer software".

14. In Chapter VII paragraph 50, clause (e) shall be deleted and clause (b) and (c) shall be substituted by the following clauses:

(b) The quantity of each item to be imported or, if any case where the quantity cannot be indicated, the Value of the item;

(c) The CIF value of imports."

15. In Chapter VII paragraph 54, in the third sub paragraph, the words "one year" shall be substituted by the words "two years".

16. In Chapter VII paragraph 55, the words "under an agreement" shall be deleted.

17. In Chapter VII paragraph 56,

(i) in clause (iv) the word "and" at the end of the clause shall be deleted.

(ii) in clause (v) the words "by the Indian main contractors" shall be deleted and a semi-colon shall be placed at the end of the clause.

(iii) the following clauses shall be added as clauses (vi) and (vii);

"(vi) Supply of capital goods to holders of licences under the Export Promotion Capital Goods (EPCG) Scheme; and

(vii) Supply of goods to any project funded partly or wholly by a foreign government or agency as may be notified by the Central Government."

18. In Chapter VII paragraph 68, the following shall be added at the end of the paragraph;

"or, in the case of deemed exports, supplied to the purchaser of the product".

19. In Chapter VII paragraph 70 shall be substituted by the following paragraph :

"70. The benefit under the International Price Reimbursement Scheme (IPRS) shall be admissible on the indigenous inputs used in the manufacture of products exported under the duty exemption scheme.

The benefit under the duty drawback scheme shall be available to the extent of the excise duty paid on the indigenous inputs used in the manufacture of products exported under the duty exemption scheme."

20. In Chapter VII paragraph 72, the word "An" shall be substituted by the words "A quantity based".

21. In Chapter VII paragraph 76,

(i) after words "as indicated in", the words and number "paragraph 147 of" shall be inserted.

(ii) After the words "prescribed in" the words and number "paragraph 149 of" shall be inserted.

22. In Chapter VIII paragraph 84, after the words 'New Delhi', the following shall be inserted:

"or any other exporter whose annual average export of cut and polished diamonds during the preceding three licensing years has been not less than Rs. 10 crores and who fulfils such other conditions as may be specified by the Chief Controller of Imports & Exports in this behalf."

23. In Chapter VIII paragraph 88 Scheme D, after the words "contained in", the words and number "paragraph 72 of" shall be inserted.

24. In Chapter IX paragraph 97,

(i) the marginal heading shall be substituted by the following:

"Value addition and Export Obligation"

(ii) the following shall be added at the end of the paragraph:

"Items of manufacture for export specified in the letter of permission/letter of intent alone shall be taken into account for calculation of value addition and discharge of export obligation."

25. In Chapter IX, paragraph 94 shall be substituted by the following paragraph:

"An EOU/EPZ unit may import free of duty all types of goods, including capital goods required by it for production, provided they are not prohibited items in the Negative List of Imports."

26. In Chapter IX paragraph 100, the words and number "Press Note No. 3" shall be substituted by the words and number "Press Note No. 13".

27. In Chapter IX, paragraph 106 shall be substituted by the following paragraph:

"106. Supplies from the DTA to EOU/EPZ units will be regarded as "deemed exports" and, besides being eligible for the benefits under paragraph 122 of this Policy, will be eligible for the following benefits:

- (a) Refund of Central Sales Tax;
- (b) Exemption from payment of Central Excise Duty on capital goods, components and raw materials; and
- (c) Discharge of export obligation, if any, on the supplier."

28. In Chapter X paragraph 121,

(i) in the first sentence, after the words "supply of goods" the words and sign :

"by the main|sub-contractors" shall be inserted.

(ii) in clause (g), the words "by the Indian main contractors" shall be deleted.

(iii) the following clause shall be added as clause (h) :

"(h) Supply of goods to any project funded partly or wholly by a foreign government or agency as may be notified by the Central Government."

29. In Chapter XI, paragraph 126 shall be substituted by the following paragraph:

"126. All export contracts shall be denominated in freely convertible currency. Contracts for which payments are received through the Asian Clearing Union (ACU) may be denominated in the currency of the country of the exporter or imported or in any freely convertible currency."

30. In Chapter XII, paragraph 140 shall be substituted by the following paragraph :

"140. Double weightage shall be given to the NFE earned by the export of products manufactured by Small Scale Industries (SSI) and triple weightage

shall be given to the NFE earned by the export of products, including hand-knotted carpets and ink products, manufactured by the handlooms and handicrafts sectors."

31. In Chapter XIII paragraph 143, after entry (xix) the following shall be added as a sub-paragraph .

"For the purpose of this Chapter, the Federation of Indian Export Organisation (FIEO) shall be regarded as an Export Promotion Council."

32. In Chapter XV

(i) in Part II paragraph 156 Section F, the entry at Sl. No. 4 shall be substituted by the following entry :

4. Single sided printed circuit boards of thickness 0.8 mm and above." -do-

(ii) in Part II paragraph 156 Section J, in the entry at Sl. No. 15, in column (2) after the words "National Film Archives of India", the words "National Film Development Corporation" shall be inserted.

(iii) in Part III paragraph 157, in the entry at Sl. No. 1 clause (g), the word "and" shall be deleted and the following shall be added as clause (i) :

"(i) High Speed Diesel."

(iv) in Part III paragraph 157, the entry at Sl. No. 7 shall be substituted by the following entry :

"7. Fatty acids and acid oils, namely, Palm Kernel Oil, Palm Stearine, lauro amine, Hydrogenated tallow amine, Oleyl amine and stearyl amine, including their primary, secondary, tertiary and quarternary derivatives."

33. In Chapter XVI (i) in Part II paragraph 159 Sl. No. 21, the entry against item (vii) shall be substituted by the following :

"(vii) Lining leathers namely :

(1) Lining suede from cow and buffalo hides and calf skins".

(2) Lining suede from goat, kid lamb and sheep".

(ii) in Part V paragraph 162, in the entry at Sl. No. 17, the word "splits" shall be deleted.

(iii) in Part V paragraph 162, in the entry at Sl. No. 33, after clause (iv) the following clause shall be added :

"(v) Trimethyl Phosphite

(vi) Di-isopropyl amine"

This issues in public interest.

D. R. MEHTA, Chief Controller of
Imports & Exports